

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 9, 1954
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll Call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Absent: None

Present also: W. T. Williams, Jr., Acting City Manager and City Attorney; C. G. Levander, Director of Public Works.

Invocation was delivered by REV. L. W. BASH, University Christian Church.

Pledge of Allegiance to the Flag.

Councilman White moved that the Minutes of December 2nd be approved. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Present but not voting: Councilman Pearson

MR. J. W. LINGO appeared before the Council stating that MR. JOHN STRATTON had paid for a water tap, but had been refused service. Mr Lingo thought the contract with the city covered service to people within metes and bounds of the water district. The deposit was made on May 6th. The Acting City Manager was requested to check this.

Mayor McAden introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THAT CERTAIN PORTION OF TAYLOR-GAINES STREET WHICH LIES EAST OF THE ELMHURST ADDITION AND WEST OF THE LLOYD W. PAYNE SUBDIVISION IN THE SANTIAGO DELVALLE GRANT IN THE CITY OF AUSTIN,

TRAVIS COUNTY, TEXAS, AS SAID PORTION IS SHOWN ON THE MAP OR PLAT OF "TAYLOR-GAINES STREET EXTENSION", OF RECORD IN BOOK 3, PAGE 233, PLAT RECORDS OF TRAVIS COUNTY, TEXAS; AND SUSPENDING THE ORDINANCE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Present but not voting: Councilman Pearson

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Present but not voting: Councilman Pearson

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Present but not voting: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

The Mayor explained this rerouting of the street, and stated it had been worked out satisfactorily to all concerned.

The final reading of an ordinance annexing land in the vicinity of Perry Road and Jain Lane was before the Council. The Mayor read the following letter from Orus M. Mooney, and noted two other letters regarding the annexation:

"November 14, 1954

"Mayor and City Council
Austin, Texas

"Mrs. Long and Gentlemen:

"A letter of November 12, 1954, under the signature of your Office Engineer, invites comments relative to the petition of property owners on Perry Lane that such property be annexed to the City of Austin. It is hoped that the comments herein submitted are made available to the aforesaid property owners, who might find them of value.

"The property whereon I reside was annexed to the City of Austin late in 1951 without benefit of petition; the majority of the property owners in the area were opposed to annexation. At the time of annexation, my residence, 1135 Walton Lane, received City water service, the householder of that address having piped the water from the City main at his own expense and deeded the water line to the City.

"City taxes have increased approximately one hundred and forty percent from the first year for which they were paid, 1952, until the present. In other words, such taxes are about two and one-half times what they were in 1952. For such taxes the only tangible value received is garbage pick-up twice a week-- some weeks. The mail is still delivered on the rural route a quarter of a mile away. A septic tank is still the only available method of sewage disposal. The nearest bus service-- one every hour-- is over a mile away. Butane must still serve as fuel, although I am told that I may have natural gas service if I will make a meter deposit of nearly three hundred dollars. (This latter is, I understand, to be owed to the terms of the franchise given to Southern Union Gas Company by the City.)

"Of course we are without curbs and gutters; the street is paved, having been paved prior to annexation. But, whereas the County once kept the bar-ditch of the street free of weeds by periodic mowings, the property owners now must see to that themselves.

"So, my advice to those property owners petitioning for annexation is that they stay in the country and continue to enjoy their freedom from the services of the City--for free.

"Respectfully,
(Sgd) Orus M. Mooney"

The following ordinance was before the Council for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 14.26 ACRES OF LAND, SAME BEING A PORTION OF THE J. C. TANNEHILL LEAGUE IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the west side of the Bastrop Highway, approximately 130 feet south of Bonnett Street which property fronts 60.42 feet on the Bastrop Highway and being known as Lot 3, Block 2, and that tract of land shown as "reserved" which borders Lot 3, Block 2 on the south, all as shown on the plat of Mohle Addition in the City of Austin, Travis County, Texas, and hereby authorizes the said W. E. Barron to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained, if, after hearing, it is found by the City Council that the said W. E. Barron has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"December 9, 1954

"Mr. Walter Seaholm
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of W. E. Barron for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located on the west side of the Bastrop Highway, approximately 130 feet south of Bonnett Street, which property fronts 60.42 feet on the Bastrop Highway and being known as Lot 3, Block 2, and that tract of land shown as "reserved" which borders Lot 3, Block 2 on the south, all as shown on the plat of Mohle Addition in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by W. E. Barron and we hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street and furthermore, shall not create a nuisance to

others in the neighborhood and it is understood that the disposal of such drainage shall be entirely the responsibility of the property owner.

or

"We recommend that W. E. Barron be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc. and that all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, drive-ways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2 - C - 1747.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - C - 1747 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works
(Sgd) J. C. Eckert
Building Inspector: "

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the Director of Public Works; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

- (1) An underground telephone conduit in EAST LIVE OAK STREET, from the east property line of the Inter-regional Highway easterly 85 feet, the centerline of which underground telephone conduit shall be 18 feet south of and parallel to the centerline of said EAST LIVE OAK STREET.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the south side of East 9th Street as a private gasoline plant consisting of a 1000 gallon tank and electric pump for the sole purpose

of servicing his own motor equipment and from which no gasoline is to be sold, which property is leased by Hillard's Rent-a-Car Company and is Lot 10, Block 96, of the Original City of Austin, Travis County, Texas, and hereby authorizes the said Hillard's Rent-a-Car Company to operate a private gasoline plant consisting of a 1000 gallon tank and electric pump for the sole purpose of servicing his own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Hillard's Rent-a-Car Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
December 9, 1954

"Mr. Walter E. Seaholm
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of Hillard's Rent-a-Car Company through their agent, R. J. Meek, for permission to operate a private gasoline plant consisting of a 1000 gallon underground tank and one electrical gasoline pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the south side of East 9th Street, which property is designated as Lot 10, Block 96, of the Original City of Austin, Travis County, Texas, and locally known as 203 East 9th Street.

"This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1). That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2). That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street or alley.

"(3). That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4). That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no

equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector:"

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING VOTING PRECINCTS OF THE CITY OF AUSTIN AND FIXING THE BOUNDARIES THEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON JULY 23, 1953, AND RECORDED IN ORDINANCE BOOK "S" AT PAGES 432-449, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTIONS 9 AND 12 OF SAID ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council had before it the following zoning application heard on April 15, 1954, and action delayed until the establishment of the "O" Classification:

NELSON PUETT &
W.W. WHITE

1605-07 West 35th St. From "A" Residence
To "O" Office
RECOMMENDED By the
Planning Commission

The Mayor asked those who wished to uphold the recommendation of the City Plan Commission to vote 'aye'; those opposed to vote 'no'. Roll call showed the following:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the change had been granted and the City Attorney was directed to draw the necessary ordinance.

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Plan Commission:

CHARLES M. GOODNIGHT
O. D. BRADSHIRE &
J. W. BIRD
By Jesse J. Bartlett

2515-South 41st St. From "A" Residence
2601 South 1st St. To "C" Commercial

M. H. CROCKETT, HUMBLE
OIL & REFINING CO., By
Trueman E. O'Quinn

5300-5338 Airport Blvd. From "C" Commercial
5400-34 Airport Blvd. 1st Hgt & Area
5500-5538 Airport Blvd. To "C" Commercial
5301-29 Middle Fiskville 2nd Hgt & Area
5401-35 Middle Fiskville Rd.
5501-39 Middle Fiskville Rd.
714-722 Bruning Ave.

FRANK C. BARRON

Tract I. 3701-03 Manorwood From "B" Residence
Rd.; 3130-38 Manor Road 1st Hgt & Area
Tract II. 3700-02 Manorwood To "GR" General
Rd., & 3112-3118 Manor Rd. Retail
6th Hgt & Area

TOM GRAHAM

2260-2270 and 2300-22 From "C" Commercial
So. Lamar 2nd Hgt & Area
To "C-1" Commercial
2nd Hgt & Area

CRUZ GALINDO, By
Josephine Nieto

1114-1118 East 8th St. From "C" Commercial
800-810 Lydia St. 1st Hgt & Area
To "C-1" Commercial
1st Hgt & Area

W. C. SCHULLE

5204-08 Eilers Ave. and From "A" Residence
707-711 Bruning To "LR" Local Retail

HUBERT E. ROSSY
by Herman Jones

506-08 West 15th St. & From "B" Residence
1501-03 Nueces Street To "O" Office

JAMES R. ALLEN

3400-02 Lamar Blvd & From "C" Commercial
1000 West 34th St. 5th Hgt & Area
To "C-2" 5th H & A

MR. AMOS HARREL spoke regarding his views on the Auditorium, and opposing any bond issues. Councilman Pearson outlined the advantages to the people as a whole of having an auditorium, and that everybody would benefit from the revenues that come in. Councilman Thompson suggested that the Mayor or Council convene a committee made up of the Council and representatives of the Chamber of Commerce, Banks and Bond men to discuss what could be done about solving this problem of financing this Auditorium and proceed as quickly as possible. Councilman Thompson moved that the Mayor get this group together for a discussion on how, or whether or not these revenue bonds can be sold or whether or not they should be offered to the people to buy, or whether or not they should be submitted to the people in a tax bond issue, and get started. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Council then recessed at 11:00 A.M. to participate in the Ground-Breaking Service at the Methodist Student Center at the University of Texas. Each Councilmember had a part in this service. Following is a copy of the program for this service:

"THE METHODIST STUDENT CENTER AT THE UNIVERSITY OF TEXAS
ORDER OF SERVICE FOR THE GROUND-BREAKING, DECEMBER 9, 1954

Dr. R. F. Curl, presiding
(Chairman, Interconference Commission on Methodist Student Work in Texas)

"THE INVOCATION Dr. Edmund Heisohn
(Pastor, University Methodist Church)

"THE SPEAKERS
Bishop A. Frank Smith, Houston-San Antonio Area
Bishop William C. Martin, Dallas-Fort Worth Area
Mr. Hines H. Baker, Chairman, Central Committee for the Center
Dean W. Page Keeton, Chairman, Wesley Foundation Board of Directors
Dr. C. W. Hall, Director, Wesley Bible Chair and Foundation
Mr. Kenneth Pinson, President, Wesley Foundation

"THE PRAYER Dr. Glen Flinn
(Former Director, Texas Methodist Student Movement)

"THE READING OF THE SCRIPTURE

"THE PRESENTATION (responsive) Rev. Richard Heacock,
Leader
(District Superintendent, The Austin District)

"THE DOXOLOGY

"THE BREAKING OF GROUND Official Representatives
Dean L. D. Haskew, the Administration of the University of Texas
Dean T. H. Shelby, The Faculty of the University of Texas

Rev Sterling F. Wheeler, Texas Methodist Student Movement
 Mr. Homer G. Hewitt, The Building Committees
 Dr. Robert E. Ledbetter, The Wesley Bible Chair
 Mr. George Paris, The Wesley Foundation
 Rev. William C. Raines, Association of Religious Teachers
 Mr. E. H. Saulson, University Religious Council
 Mrs. Bert McGlamery, Womans Society of Christian Service
 Rev. James F. Stone, Austin Methodist Ministers Association
 Mayor C. A. McAden, Mayor of the City of Austin
 Mayor Pro-tem Wesley Pearson, Councilman, City of Austin
 Mrs. Emma Long, Councilman, City of Austin
 Mr. Ted R. Thompson, Councilman, City of Austin
 Mr. Ben White, Councilman, City of Austin

"THE BENEDICTION Dr. Marvin S. Vance
 (Pastor, First Methodist Church) "

The Council adjourned at 12:30 P. M. subject to the call of the Mayor.

APPROVED: *C. A. McAden*
 Mayor

ATTEST:
Elain Hooley
 City Clerk